REMARKS

Status of Claims

Claims 1, 2, 6, 11, and new claims 16 and 17 are pending, with claims 1, 6, 11, and 16 being independent. Claims 1 and 2 have been amended to correct a typographical error in the structure of the quinophthalone compound of formula (1). Claim 6 has been amended so that it is independent. New claims 16 and 17 have been added. Support for the amended claims and new claims may be found throughout the specification, including in the original claims. Therefore, no new matter has been added.

Initially, Applicants would like to thank the Examiner for indicating that claims 6 and 11 contain allowable subject matter.

Applicants respectfully request the Examiner to reconsider and withdraw the outstanding rejections in view of the foregoing amendments and the following remarks.

Claim Rejections under 35 U.S.C. § 112, second paragraph

Claims 1 and 2 are rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite. In response, claims 1 and 2 have been amended to correct an inadvertent typographical error in the structure of the quinophthalone compound of formula (1). Accordingly, Applicants respectfully submit that the rejection has been obviated and respectfully request withdrawal of the rejection.

Claim Rejections under 35 U.S.C. § 102(b)

Claims 1 and 2 are rejected under 35 U.S.C. § 102(b) as being anticipated by JP 06-145540 taken in view of the evidence given in Ohyama et al. (U.S. Patent No. 5,359,075). Applicants respectfully disagree with this rejection; therefore, the rejection is traversed.

JP 06-145540 relates to a quinophthalone colorant for use in a thermal transfer sheet. Ohyama is cited as evidencing that making quinophthalone by conventional methods results in quinophthalone that exists in tautomeric form.

In the quinophthalone colorant of JP 06-145540, the substituent Y can be $-CONR^3R^4$ wherein R^3 and R^4 can be an alkyl group. Applicants respectfully submit that colorants useful for thermal transfer sheets are required to easily sublimate or thermally diffuse when heated with a heat-recording head. Applicants respectfully submit that these desired properties for colorants for thermal transfer sheets are provided when the alkyl groups of R^3 and R^4 have lower carbon numbers, such as C_1-C_8. As such, Applicants respectfully submit that JP 06-145540 discloses that the alkyl groups of R^3 and R^4 are linear alkyl or branched alkyl groups of C_1 to C_{12}, preferably C_1 to C_8, and the alkyl groups exemplified in Table 1 of JP 06-145540 are n-propyl (No. 11 and No. 18) and ethyl (No. 12).

Applicants further note that the ink of JP 06-145540 is merely coated on a sheet to make a thermal transfer sheet containing at least one layer of the ink.

In contrast, the presently claimed invention relates to an aqueous ink for inkjet recording comprising water and a resin as an emulsion, wherein the resin is colored by a water-insoluble coloring matter selected from the group consisting of a quinophthalone compound of formula (1), a pyridone azo compound of formula (2), and mixtures thereof. Applicants respectfully submit that this aqueous ink for inkjet recording comprising water and a resin as an emulsion, wherein the resin is colored by the recited water-insoluble coloring matter, is significantly different than the ink of JP 06-145540 for making an object on a thermal transfer sheet.

In addition, Applicants note that the present specification discloses that the claimed aqueous ink comprising resin colored by the water-insoluble coloring matter selected from the specifically claimed compounds has excellent storage stability, solubility into an organic solvent, fixability to the recording medium, vividness of recorded image, light resistance, water resistance, and compatibility with a resin. (page 55, 1st paragraph and Table 3). As such, when claimed coloring matter is a quinophthalone compounds of formula (1), the 2H-indene-1,3-dione is substituted (at R_3) with a substituent $CONR_4R_5$ in which both R_4 and R_5 are a ***linear*** alkyl group having ***10 or more*** carbon atoms or a ***branched*** alkyl group having ***8 or more*** carbon atoms. Accordingly, Applicants respectfully submit that to provide the desired properties of the

presently claimed aqueous ink for inkjet recording, both R_4 and R_5 are linear or branched alkyl groups of a longer length, in contrast to a shorter length as in JP 06-145540.

Therefore, it is respectfully submitted that the inks of JP 06-145540 for making an object on a thermal transfer sheet inks do not disclose or suggest the presently claimed aqueous ink for inkjet recording. For at least the reasons noted above, Applicants respectfully request withdrawal of the outstanding rejections.

Conclusion

For at least the reasons noted above, the art of record does not disclose or suggest the inventive concept of the present invention as defined by the claims.

In view of the foregoing amendments and remarks, reconsideration of the claims and allowance of the subject application is earnestly solicited. In the event that there are any questions relating to this application, it would be appreciated if the Examiner would telephone the undersigned attorney concerning such questions so that prosecution of this application may be expedited.

In the event any further fees are due to maintain pendency of this application, the Examiner is authorized to charge such fees to Deposit Account No. 02-4800.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: _____

Melissa M. Hayworth
Registration No. 45,774

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620
Date: August 16, 2005